

EXHIBIT 15

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UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF WYOMING

STEPHANIE WADSWORTH,)
individually and as Parent)
and legal guardian of ww, KW)
GW and LW, minor children of)
MATTHEW WADSWORTH,)

Plaintiffs,)

) Case No.

vs.) 2:23-cv-00118-NDF

)

WALMART, INC., and JETSON)
ELECTRIC BIKES, LLC)

Defendants,

)

DEPOSITION OF BILL ROBINSON

Wednesday, November 15, 2023, 1:00 P.M.

Via Zoom video conference

BE IT REMEMBERED that the deposition of BILL ROBINSON was taken by the attorney for the Plaintiffs, GRAYSON GOODY, ESQ., 58 Malaga Cove Plaza, Palos Verdes Estates, California 90274 before Christine J. Roybal, Court Reporter for the State of Idaho, in the above-entitled matter.

1 Q. If at any point in time you don't understand my
2 question, sometimes I might ask a poor question, just let me
3 know that, I will make sure you restate or rephrase it,
4 okay?

5 A. Okay.

6 Q. And you refused my water earlier, but if at any
7 time you need a break, you need some water, just let me know
8 and we'll get that. Okay? All right.

9 Sir, where are you currently employed?

10 A. City of Green River fire department.

11 Q. And what is your role with the fire department?

12 A. Fire Chief.

13 Q. How long have you been employed by the fire
14 department?

15 A. I originally got on the fire department in 1999.

16 Q. When you came on in 1999, did you come on as chief
17 or did you have another role?

18 A. I came on a firefighter, volunteer firefighter.

19 Q. When did you transition to chief?

20 A. 2018, 2019, somewhere in that, February, I
21 believe.

22 Q. Could you describe for the jury that might either
23 see this video or read the transcripts what some of your
24 duties and responsibilities as fire chief?

25 A. To put it shortly, it's to oversee all operations,

1 A. I'm aware.

2 Q. You would have been involved at the very least in
3 response and investigation of that fire?

4 A. Correct.

5 Q. As part of your role as Fire Chief, can you talk
6 to me a little bit about the process by which you
7 investigate a fire?

8 A. Well, it starts, we have to get all the fire out
9 first and then when everything is done, then we move all
10 firefighters from the building and we start from the outside
11 in, we go inside, and we do it as a whole, we don't try to
12 focus on one area, we try to do it as a whole and work down
13 to one area.

14 Q. Were you employed by any other fire department
15 prior to 1999?

16 A. No.

17 Q. Would that have been your first job or employment
18 as a firefighter?

19 A. Correct.

20 Q. Can you walk us through your educational
21 background, please?

22 A. Graduated high school, did some college, and then
23 everything else I have is in fire education.

24 Q. Okay. Where did you graduate high school?

25 A. Here in town, Green River.

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1 Q. Okay. Exposure ID, what's that refer to, if you
2 know?

3 A. It's automatic, I don't know exactly what that one
4 is.

5 Q. Okay. Same thing for exposure number?

6 A. That's correct.

7 Q. Incident date is listed as February 1, 2022,
8 that's consistent with your recollection of when this
9 occurred?

10 A. Yes.

11 Q. And dispatch run number, is that also auto
12 populated?

13 A. It's.

14 Q. This first page identifies that the report was
15 completed by you, it was reviewed by you, and is printed by
16 you, correct?

17 A. Correct.

18 Q. You would have completed this report February 9,
19 2022?

20 A. I don't recall. Yeah, probably pretty close.

21 Q. Okay. And again, I'm just referring to that first
22 line where it says "report completed by," it has your name,
23 ID is left blank, but then it says date February 9, 2022, do
24 you see that?

25 A. Yes, that is correct.

1 Q. That would reflect at the very least when you
2 would have completed this report.

3 A. Correct.

4 Q. The next line lists the date of March 2, 2022,
5 would that have been when you reviewed this report?

6 A. Correct.

7 Q. And could you describe for the jury what that
8 means? Is that after completion of the report you go back
9 in and you review the report?

10 A. Sometimes. Sometimes it can be as simple as, I had
11 to go back in there and type who we gave the investigation
12 over to, or if something else came up that we had to put in,
13 and it will log that later on in the pages, it will say who
14 did what or added what to it and for what purpose.

15 Q. Okay. So we'll go certainly the entirety of this
16 report.

17 You have identified of course that it was an enclosed
18 building, it was a family dwelling, correct?

19 A. Correct.

20 Q. You've marked that the detectors were present, is
21 that referring to smoke detectors?

22 A. It is.

23 Q. By the way, when you arrived on scene, were you
24 able to hear the smoke detectors going off?

25 A. You could hear them audibly, yes.

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1 have been my first time talking with Detective Sheman.

2 Q. Okay. So tell me about that initial conversation
3 with Detective Sheman.

4 A. I told him what we had, told him it was out in the
5 county and asked if he would like to come take a look.

6 Q. And he agreed?

7 A. Absolutely.

8 Q. When he came out to the home did you have a
9 conversation with him upon his presentation to the scene?

10 A. I did.

11 Q. What do you recall about that conversation?

12 A. It was more of a friendly greeting, how are things
13 going type things. We don't get too many of these we get to
14 work on together so it's nice to be able to have that to
15 help us out for down the road stuff, experience wise.

16 And then I told him the structure was safe, you could
17 enter it, and I will remain outside and tell him if he has
18 any questions, needs help moving anything he can just give
19 us a holler we'll pop on in there, and I wasn't going to
20 tell him what I found at that time. He respected that as
21 well.

22 Q. Did he come alone or with company?

23 A. He came alone at first. He called in
24 Detective Michelle Hall afterwards to assist him.

25 Q. So other than telling him the structure was safe,

1 telling him that you had just concluded your inspection and
2 investigation, did you provide him with any detail
3 whatsoever of the results of your investigation?

4 A. No.

5 Q. And so after that, he conducted his own inspection
6 and investigation?

7 A. That's correct.

8 Q. Do you know how long it took for him to conduct
9 his inspection and investigation?

10 A. They're more thorough than we are, as expected,
11 they are more diving in for origin and cause than we are,
12 which is typical. Very normal. And I want to say his took
13 pretty much the remainder of the day, maybe even some into
14 the evening, if I recall.

15 Q. Okay. Do you know approximately how many hours
16 that would have been?

17 A. I don't.

18 Q. Do you know how long your inspection and
19 investigation took?

20 A. Mine took just under two hours, roughly.

21 Q. Did you remain on the scene until he concluded his
22 inspection and investigation?

23 A. I don't recall if I remained the entire time he
24 was there, but I remained the majority of the time at least.

25 Q. After you greeted Detective Sheman and

1 communicated what you just testified to him, what else did
2 you do on the scene that day?

3 A. While he's in there doing his investigation, I sit
4 outside.

5 Q. Do you recall having any conversations with other
6 firefighters, other personnel during that time while you
7 were waiting for him to complete his investigation?

8 A. I know at that time Larry was with me, but I don't
9 remember what we had talked about. And even though Larry
10 was on -- the same in the same capacity as I am as a job
11 goes, I still wouldn't tell him what I found.

12 Q. Okay. At some point in time did Larry conduct his
13 own inspection and investigation?

14 A. He never tried to conduct an investigation here.

15 Q. So as you're sitting outside waiting for it
16 Detective Sheman to conclude his own inspection and
17 investigation, I take it at some point time passes and you
18 leave?

19 A. I don't recall if I left before I helped him out,
20 went in to -- and he had some questions inside, and needed
21 some help moving some things, I believe. I don't recall if
22 I left before that or after.

23 Q. Okay. Do you recall anything about questions he
24 had or what you might have assisted him with inside the
25 home?

1 A. I do. I remember going in there, and Larry and I
2 both went in there. I don't remember, we had -- I want to
3 say it was a bookcase or something that had fallen during
4 the fire or something that we helped try to peel all that
5 back, because we wanted to look at more of the room to
6 perform his style of investigation that he does. And so and
7 that's pretty common, pretty typical as well. We help out,
8 we don't touch anything they don't want us to touch, but we
9 help them out again under their capacity, whatever they want
10 to do. He was -- during that time he was focused on that
11 same room.

12 Q. Still without your input?

13 A. 100 percent without my input, yep.

14 Q. Do you recall him saying anything to you as you're
15 in there answering questions or helping him out about what
16 he was thinking of the cause?

17 A. I don't recall.

18 Q. Did he ever tell you that he believed the fire
19 started outside the home?

20 A. No.

21 Q. Did anybody ever tell you that they believed the
22 fire started outside the home?

23 A. No, that was never ever an issue.

24 Q. Aside from helping him with potentially a bookcase
25 or some other things that needed to be moved, do you recall

1 Q. Okay. Did he arrive before or after you?

2 A. After.

3 Q. Do you know how long after you?

4 A. I don't.

5 If he was there before me, I don't recall if he was or
6 not.

7 Q. And he would have come in a private vehicle?

8 A. He would have been in a personal vehicle.

9 Q. Looking at what we see as the fire at about
10 10 minutes 30 seconds into this video, is that consistent of
11 what you would have seen when you arrived?

12 A. I don't recall.

13 Q. In your investigations do you realize --

14 (Court reporter clarification.)

15 Q (By MR. LAFLAMME) In your fire investigation do
16 you utilize NFPA921?

17 A. You'd have to refresh me what NFPA291 is.

18 Q. NFPA29 is the guide for fire and explosion
19 investigations.

20 A. We try to.

21 Q. And are you familiar with that guide?

22 A. Not without looking at it.

23 Q. I believe you had -- I want to take a little step
24 back and just go over some of the background items again.

25 You had indicated that you started with City of Green River

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1 origin investigator?

2 A. Or the PD unit, or the PD department or wherever
3 we go, yes.

4 Q. I'm going to jump around, you've been asked a
5 bunch of questions already.

6 Did you have any contact with the Wadsworth family
7 during your investigation?

8 A. Not the people that lived in the house, no, no, I
9 did not.

10 Q. Was the only contact with the grandparents that
11 lived next door?

12 A. If that's his grandparents, yeah.

13 Q. And was that while you were on site?

14 A. I was on site.

15 Q. Did you ever interview any witnesses in this case?

16 A. No.

17 Q. Have you ever reviewed -- do you review interviews
18 that Detective Sheman did?

19 A. No.

20 Q. Have you reviewed any body camera footage of the
21 responding sheriff's department?

22 A. No, that's the first ones I saw.

23 Q. I think you had indicated that Larry Erdman was
24 not involved in this investigation for origin and cause; is
25 that correct?

1 You can answer.

2 A. Say that again.

3 MR. LAFLAMME: He's just objecting for the
4 record for the judge later on.

5 A. Yeah, I got it. Go ahead again with the question.

6 Q. (BY MR. LAFLAMME) If the Hoverboard was not
7 plugged in at the time of the fire that would affect your
8 opinion, correct?

9 MR. AYALA: Same objection.

10 A. It would make me look at it a little bit.

11 Q (By MR. LAFLAMME) Okay. And that's because
12 there wouldn't be any power to the Hoverboard, correct?

13 A. I wouldn't agree with that 100 percent. There
14 could still be the battery located into it because you can
15 remove them batteries. I don't know if that one could be
16 removed or not.

17 Q. But if the Hoverboard wasn't plugged in, that
18 would cause you to at least do -- take a second look at
19 everything, correct?

20 MR. AYALA: Form.

21 A. I still can't answer that 100 percent. I would
22 say with investigation efforts I would look into that a
23 little bit different.

24 Q (By MR. LAFLAMME) And under fire origin and
25 cause investigation, you always want to continue to evaluate

1 evidence as it becomes available, correct?

2 A. That's correct.

3 Q. And if evidence becomes available, that may affect
4 your opinion, that opinion should be reassessed, correct?

5 A. Depending how the evidence became available,
6 correct.

7 Q. As new evidence comes to light you need to
8 consider that evidence, true?

9 A. Consider all evidence, correct.

10 Q. And as I understand it, you were on scene for
11 about two hours for your origin and cause -- or for your --
12 you didn't work just an origin investigation, correct?

13 A. Correct.

14 Q. Okay. You were on scene for about two hours for
15 your origin investigation, correct?

16 A. Roughly, correct.

17 Q. If the fire had started in the bedroom where you
18 believe it started, you would expect to see some arcing on
19 electrical wiring in that room, correct?

20 MR. AYALA: Form.

21 A. That's actually not 100 percent correct.

22 Q. (BY MR. LAFLAMME) You would not expect to see
23 any electrical arcing in that room?

24 A. Well, it depends on where the -- the fire, if it
25 started in the electrical box you could see some arcing.

1 MR. AYALA: Form.

2 A. I would have look at everything as an origin. As
3 a matter of fact I looked at whatever that building was when
4 I got there, and afterwards I looked. And I still stick
5 with my determination that that fire started inside that
6 room.

7 Q. (BY MR. LAFLAMME) Did you do anything to process
8 the items, the fire debris that was outside of that window?

9 A. Other than look for, during had -- the during the
10 battling the blaze, when they got that out we looked for hot
11 spots when it's over. We rake through it a little bit to
12 make sure there's no hot spots, and then that's it. We try
13 to practice preservation anytime we can.

14 Q. Were you aware of any of the kids' statements that
15 the fire started outside of the house on the date of the
16 fire?

17 MR. AYALA: Form.

18 A. I wasn't aware of any kids' statements, no.

19 MR. LAFLAMME: Okay. I'm going to pull up a video
20 here but I want to use sound, how do I do that?

21 CONCIERGE: So when you go to the screen share
22 menu, on the bottom of the screen share page there's going
23 to be a check box that says "share computer audio."

24 MR. LAFLAMME: Screen share. Okay, so share sound
25 on the lower left?

1 to go through their bed area, correct?

2 A. Not correct.

3 MR. AYALA: Form.

4 A. It would have gone up, in this case I believe I
5 looked at it, it went up through ceiling, hit the ceiling
6 which is common in fire behavior, it goes up to the ceiling
7 and rolls down.

8 Q (By MR. LAFLAMME) Okay. Is there any other
9 pattern that you are relying on besides what we see in
10 Exhibit 14 on the top photograph, for the origin of this
11 fire?

12 A. No. Again, from my investigation, that's what led
13 me to that area being the origin.

14 Q. Are you aware of the results of joint fire
15 inspection from the private side that occurred after the
16 fire?

17 A. No, I wasn't even aware there was one.

18 Q. Are you aware of the lab inspection results that
19 was done after the fire?

20 A. No.

21 Q. Okay. So as to the information that was
22 identified during the private sector investigation, you
23 don't have any information?

24 A. That's correct.

25 Q. Are you aware of what the scientific method is

1 Q. Okay. All right. You had indicated during in
2 your prior testimony that you were 100 percent that it
3 came -- the fire originated in the area of that outlet that
4 we see here in Exhibit 15, correct?

5 A. To my -- to the best of my knowledge I'm 100
6 percent that the fire originated in that room.

7 Q. Based on the information you've been given here
8 today you would agree that there would be more investigation
9 that you would want to conduct?

10 A. I would conduct more investigation to this.

11 Q. Okay. And that's based on the additional
12 information that you've been provided here today, correct?

13 A. Right.

14 Q. So at this point if you were to assess the origin
15 of the fire it's because there's official investigation that
16 you would want to do to fully assess that you would have to
17 classify it as undetermined under NFPA921, correct?

18 MR. AYALA: Form.

19 A. I would determine it currently still under
20 investigation, undetermined until investigation is complete.

21 Q. (BY MR. LAFLAMME) Okay. And you can't, you
22 can't get off the undetermined designation until the
23 investigation is complete, correct?

24 A. That's correct.

25 Q. So as you sit here today, if you had to classify

1 the origin on your NFPA912, it would be undetermined
2 investigation not complete, correct?

3 MR. AYALA: Form.

4 A. Correct.

5 Q (By MR. LAFLAMME) The Sweetwater Fire District
6 No. 1, What is their role?

7 A. They're just a mutual aid department. They
8 control their own district on the east side of the county.

9 Q. Okay. So is Green River Fire Department on the
10 west side of the county and then Sweetwater Fire District is
11 the one on the east side the county?

12 A. That's correct.

13 Q. Any other fire districts involved in Sweetwater
14 County?

15 A. There's Rock Springs Fire, but they control their
16 city.

17 Q. So they are just in the city?

18 A. Correct.

19 Q. Rock Springs as a city is pulled out from
20 jurisdiction of the county split?

21 A. Yes, it is.

22 Q. The Sweetwater Fire District No. 1, where are they
23 held at? What is that their headquarters?

24 A. They got two stations over there on the east side
25 of Rock Springs.

1

EXAMINATION

2

BY MR. LAFLAMME:

3

Q. Chief Robinson, before you testified that as we sit here today, based on the additional information you heard today, that you would classify this origin as undetermined under NFPA921 and that the investigation would be ongoing, correct?

8

MR. AYALA: Form.

9

A. If the evidence that you presented to me was there, you would have no choice but to determine that.

11

Q. (By MR. LAFLAMME) Okay. And is that the determination of the origin under NFPA921 as we sit here today would be in undetermined and that the investigation would be ongoing on the area of origin, true?

15

A. True.

16

Q. And prior to today, you're not aware that there was a shed outside that window, correct?

18

A. Correct.

19

Q. You were not aware that shed was used for smoking, correct?

21

A. That's correct.

22

MR. AYALA: Form.

23

Q. (BY MR. LAFLAMME) You are also not aware that there was a space heater in that shed, correct?

25

A. That is correct.

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1 Q. You were not aware of the kids' statements about
2 the fire starting outside in the shed area, correct?

3 MR. AYALA: Form.

4 A. That's correct.

5 Q (By MR. LAFLAMME) And you don't know what was --
6 so if you didn't know there was a shed you don't know what
7 was in that shed, correct?

8 A. That's correct.

9 Q. And furniture within a shed would be an additional
10 fuel load that could burn, correct?

11 A. Correct.

12 MR. AYALA: Object to form.

13 MR. LAFLAMME: And you were not aware prior to
14 today that there was arcing found on the wiring in that
15 shed.

16 A. That's correct.

17 Q. And you were not aware prior to today that there
18 was no arcing found on the inside of had a house, correct?

19 A. That's correct.

20 Q. And you're aware that smoking material can cause a
21 fire, correct.

22 A. Correct.

23 Q. And smoking material doesn't necessarily always
24 cause a fire at the time of smoking, correct?

25 A. Correct.

1 MR. AYALA: Form.

2 Q. (BY MR. LAFLAMME) Meaning you can have someone
3 smoke in a area and hours later a fire starts, correct?

4 MR. AYALA: Form.

5 A. Absolutely.

6 Q. (BY MR. LAFLAMME) And you've run into that in
7 your career, correct?

8 A. That is correct.

9 Q. And you are aware that space heaters can cause
10 fires as well, correct?

11 A. Correct.

12 Q. And aren't space heaters one of the most common
13 causes of fires for heating appliances?

14 MR. AYALA: Object to form.

15 A. I don't know if that's accurate. I know they are
16 definitely a factor.

17 Q. (BY MR. LAFLAMME) Are you aware of the NFPA fire
18 statistics that are put out every year?

19 A. I'm aware of them, I don't remember them.

20 Q. It's not something you look at in your position?

21 A. No.

22 Q. And understanding that when you were there on the
23 date of the fire, you were operating just with the evidence
24 and facts that you had on that day, correct?

25 A. That's correct.

1 Q. And additional evidence and facts that has been --
2 have been revealed and discovered since that day, you have
3 not been privy of, correct?

4 A. That's correct.

5 Q. There was some questioning about whether you've
6 investigated a Hoverboard or lithium ion battery fire
7 before, do you recall that?

8 A. I do.

9 Q. And counsel I don't think liked the way I phrased
10 my question so I will rephrase for you. Have you ever
11 investigated a fire that you determined originated at or
12 near a Hoverboard other than this fire?

13 A. No.

14 Q. Okay. Have you ever investigated a fire that you
15 believe originated at or near a lithium ion battery product
16 other than in the Wadsworth fire?

17 A. Not prior to this.

18 Q. Okay. Subsequent to?

19 A. Yes.

20 Q. What was that product?

21 A. It was an electric bike motor, an electric bike
22 and they have the same, essentially same thing, it's not the
23 same battery but it's exactly, I mean, it's essentially the
24 same thing.

25 Q. There's lot of products that have lithium ion

1 Q. I gotcha. So it would be a detective from Green
2 River Police Department --

3 A. That's correct.

4 Q. -- finish the investigation on the electric bike
5 issue?

6 A. Correct.

7 Q. Okay. You're not aware that Mr. Pasborg stated on
8 the date of the fire shortly after you responded that it
9 looked like the fire started on the outside or the exterior
10 wall?

11 A. No.

12 Q. And all of this additional facts and evidence, if
13 you were to do a full and complete origin analysis you would
14 want to walk through all of those additional facts and
15 evidence, correct?

16 A. You would have to.

17 MR. AYALA: Object to form.

18 Q. (BY MR. LAFLAMME) And when you say "you would
19 have to," you're saying you would have to consider all of
20 those facts and evidence in order to give it a final origin
21 determination, correct?

22 MR. AYALA: Object to the form.

23 A. Correct.

24 Q. (BY MR. LAFLAMME) And so based on -- based on
25 the information that you've learned here today -- strike